



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

CR-6614-2025

Date of Decision.:22.09.2025

Sunil Kumar

.....Petitioner

Vs.

Surjit Pal

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rahul Makkar, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

Petitioner herein is the defendant in civil suit bearing No.655 of 2022 titled as "Surjit Pal Vs. Sunil Kumar" pending before learned Civil Judge (Junior Division), SBS Nagar. He is aggrieved by the order dated 13.08.2025 (annexure p-6) passed by the trial Court, whereby his application for amendment of written statement moved under Order VI Rule 17 CPC has been declined.

The defence of the petitioner-defendant in the initial written statement was based upon a registered sale deed and tenancy, which he wanted to substitute with an unregistered agreement to sell (Ikrarnama) and license deed along with an affidavit allegedly executed by one Manjeet Kaur.

It is contended by learned counsel for the petitioner that petitioner had provided correct documents to his counsel but he wrongly referred to the nature of the documents.

This Court does not find merit in the said contention after

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going through the entire paper-book. Para No.9 of the impugned order would reveal that plaintiff had already closed his evidence. Defendant had been provided as many as five opportunities for leading his evidence. No evidence was produced. On 20.11.2024, while adjourning the matter to 10.12.2024, cost of ₹300/- was imposed. Instead of producing the evidence on the adjourned date, the defendant moved the application to amend written statement.

Learned trial Court has rightly observed that the conduct of the defendant-petitioner clearly demonstrated the absence of diligence as is required under the proviso to Order VI Rule 17 CPC. The trial had commenced much before moving the application to amend written statement, and in these circumstances, the prayer of the petitioner to amend the written statement has been rightly declined.

No merits. Dismissed.

**(DEEPAK GUPTA)
JUDGE**

September 22, 2025

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No